

It was alleged in the libel that the article was misbranded in that the following statements regarding its curative and therapeutic effects, appearing on the bottle label, were false and fraudulent: "General Tonic * * * Intended to Assist in the Treatment of Rheumatism, Kidney, Liver, Indigestion and Stomach Trouble, Loss of Appetite, * * * Bad Blood, Tired Feeling, Sleeplessness, Nervous Disorders and Auto-Intoxication * * * Stimulates or excites the action of the Gastro Peptic glands, causing a more copious exertion of the digestive juices, whose enzymes are vitally necessary to perfect digestion and health. Any serious interference with the digestive process due to catarrhal mucus or excessive fermentation not only greatly retard or inhibit the assimilation of the caloric units from the proteins of the food, but cause acidity, eructations and distress from gas pressure. In aggravated cases the action of both heart and lungs is impeded by this encroachment. Good digestion is absolutely necessary to nutrition, for upon this must depend blood making and all constructive tissue building of bones, nerves and muscles with general strengthening or revitalizing of the body. * * * A cholagogue cathartic increases the action of the liver, which is the strainer or purifier of the blood, when through its increased action more bile is eliminated or thrown into the intestines. The digestion of fats and starches are greatly facilitated; this increases peristaltic action of the intestinal tract, removes from the body that effete or waste material which, if retained, is the cause of Auto-Intoxication or self-poisoning resulting in headache, fever, lassitude or a general depressed feeling."

On April 10, 1933, no claimant having appeared for the property, judgment of condemnation was entered and it was ordered by the court that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20593. Misbranding of Piperazine Midy. U.S. v. 9 Bottles and 69 Bottles of Piperazine Midy. Default decrees of condemnation, forfeiture, and destruction. (F. & D. nos. 29322, 29703. Sample nos. 7843-A, 7846-A.)

Examination of the drug preparation Piperazine Midy disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the bottle and carton labels.

On November 22 and December 31, 1932, the United States attorney for the District of Puerto Rico, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 78 bottles of Piperazine Midy, alleging that the article had been shipped on or about June 29 and November 11, 1932, by E. Fougera & Co., Inc., New York, N.Y., to San Juan, P.R., that it was being sold and offered for sale in Puerto Rico by Serra, Garabis & Co., Inc., of San Juan, P.R., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Piperazine-Midy * * * The Midy Laboratories, Incorporated * * * New York."

Analysis of a sample of the article by this Department showed that it consisted essentially of piperazine hydrochloride, sodium bicarbonate, and tartaric acid.

It was alleged in the libels that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the article, appearing on the bottle label and carton, were false and fraudulent: "Indicated in Gout, Lumbago, Sciatica, Gravel, Stone and other manifestations of the Uric Acid Diathesis. Owing to the formation of nascent Sodium Citrate which stimulates hepatic activity, this preparation may be prescribed to control formation of urates. Directions * * * In Chronic Cases 2 to 3 teaspoonfuls a day In Acute Cases 4 to 6 teaspoonfuls a day (Dissolve in one half glass of water)."

On January 10 and February 8, 1933, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20594. Misbranding of 4-44 (Four Forty Four). U.S. v. 21 Bottles of 4-44. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29327. Sample no. 7842-A.)

Examination of the drug preparation involved in this case disclosed that the article contained no ingredient or combination of ingredients capable of